

1952

Sept. 29

Mr. Sulo J. Tani, Director  
Planning and Development Commission  
State House Annex

Dear Sir:

In a letter of September 18, 1952, you have referred to the contract between the Planning and Development Commission and S. C. Swanson, Inc., under June 6, 1952, under the terms of which S. C. Swanson, Inc., undertook to produce the New Hampshire Exhibit at the Eastern States Exposition in consideration of a total payment by the State of \$5,500. You advise that in this regard, Councillor Stafford has made this inquiry:

"Are not all contracts of over \$5,000 entered into by departments of the state government subject to the approval of Governor and Council?"

You have referred this inquiry to this office.

Confining our answer to the contract now under consideration, please be advised that we have examined the laws and find no requirement that a contract such as the present one need be submitted for approval to the Governor and Council.

Reference in the Councillor's inquiry to the sum of \$5,000 leads to a consideration of article V of "Rules and Regulations as to the procedures of the State Purchasing Agents and others in the purchase of material, equipment and supplies, pursuant to the provisions of Chapter 227, Session Laws of 1949." The article cited, dealing with Governor and Council approval of contracts covering a period longer than six months and involving an expenditure of \$5,000 or more, is not in our opinion applicable to the present contract. This conclusion is based upon the fact that the subject matter of the present contract does not come within the purview of Chapter 227, Laws of 1949 to which the cited Rules and Regulations pertain.

Very truly yours,

Gordon M. Tiffany  
Attorney General

GHT:TM

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